

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Entercom License, LLC	)	MB Docket No. 16-357
	)	
Applications for Renewal of License for Station	)	Facility ID No. 65438
KDND(FM), Sacramento, California	)	File Nos. BRH-20050728AUU
	)	and BRH-20130730ANM

To: The Commission  
Attn: Marlene H. Dortch, Secretary

**OPPOSITION OF ENTERCOM LICENSE, LLC  
TO PETITION FOR RECONSIDERATION**

Entercom License, LLC (“Entercom”) hereby opposes the Petition for Reconsideration<sup>1</sup> filed by Edward R. Stolz II (“Stolz”) against the Commission’s *Memorandum Opinion and Order* in the above-captioned proceeding.<sup>2</sup>

The Petition should be dismissed because the Commission properly found that Mr. Stolz lacks standing.<sup>3</sup> It should also be dismissed because Mr. Stolz’s arguments are neither premised on changed circumstances nor do they rely on facts or arguments unknown to Mr. Stolz at the time he filed his Application for Review.<sup>4</sup> Indeed, Mr. Stolz has repeatedly challenged Entercom’s character qualifications making the same or a materially similar argument and has even cited to the same case law he now presents.<sup>5</sup> In any event, the relief requested by Mr. Stolz’s underlying Application for Review – designation of Entercom’s other Sacramento

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<sup>1</sup> Petition for Reconsideration of Edward R. Stolz II, MB Docket No. 16-357 (Oct. 10, 2017) (“Petition”).

<sup>2</sup> *Entercom License, LLC*, Memorandum Opinion and Order, 32 FCC Rcd 7149 (2017) (“MO&O”).

<sup>3</sup> *Id.* at 7150 ¶ 3.

<sup>4</sup> 47 C.F.R. § 1.106(b)(2).

<sup>5</sup> See Reply to Opposition of Entercom License, LLC to Petition for Reconsideration of Edward R. Stolz II, MB Docket No. 16-357, at 3 (Dec. 20, 2016).

licenses for a renewal hearing<sup>6</sup> – is barred by the plain language of Section 309(k) of the Communications Act, as Commission precedent makes clear.<sup>7</sup>

Accordingly, the Commission should dismiss the Petition.

Respectfully submitted,

ENTERCOM LICENSE, LLC

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October 25, 2017

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<sup>6</sup> Application for Review of Edward R. Stolz II, MB Docket No. 16-357, at 14-15 (Apr. 17, 2017).

<sup>7</sup> See, e.g., *MO&O*, 32 FCC Rcd at 7153 ¶ 13; *Entercom License, LLC*, Memorandum Opinion and Order, 31 FCC Rcd 12034, 12034 n.13 (2016); *Sagittarius Broadcasting Corp.*, Memorandum Opinion and Order, 18 FCC Rcd 22551, 22555 ¶ 8 (2003).

**CERTIFICATE OF SERVICE**

I, Luciana Jhon, do hereby certify that, on this 25th day of October, 2017, the foregoing Opposition of Entercom License, LLC to Petition for Reconsideration was served by first class mail, postage prepaid, on the following persons:

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